

**RECEIVED
CENTRAL FAX CENTER
SEP 23 2004**

NO. 962

D04

AUS920031013US1

**DECLARATION AND POWER OF ATTORNEY FOR
PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS EMPLOYING ELECTROMYOGRAPHIC SENSORS TO
INITIATE ORAL COMMUNICATIONS WITH A VOICE-BASED DEVICE**

the specification of which (check one)

is attached hereto,
 was filed on _____
 as Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign applications(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, any foreign application for patent inventor's or plant breeder's rights certificate(s) or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(MM/DD/YYYY)	Yes	No
----------	-----------	--------------	-----	----

Certified Copy Attached?

Yes No

AUS920031013US1

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Customer No. 46240.

John W. Henderson, Jr., Reg. No. 26,907; Thomas E. Tyson, Reg. No. 28,543; Robert M. Carwell, Reg. No. 28,499; Jeffrey S. LaBaw, Reg. No. 31,633; Douglas H. Lefeve, Reg. No. 26,193; Casimir K. Salys, Reg. No. 28,900; David A. Mims, Jr., Reg. No. 32,708; Mark E. McBurney, Reg. No. 33,114; Leslie A. Van Leeuwen, Reg. No. 42,196; Christopher A. Hughes, Reg. No. 26,914; John E. Hoel, Reg. No. 26,279; Joseph C. Redmond, Jr., Reg. No. 18,753; Marilyn S. Dawkins, Reg. No. 31,140; Diana L. Roberts, Reg. No. 36,654; and Mark S. Walker, Reg. No. 30,699;

and

Danny L. Williams, Reg. No. 31,892; Terry D. Morgan, Reg. No. 31,181; J. Mike Amerson, Reg. No. 35,426; Kenneth D. Goodman, Reg. No. 30,460; Jeffrey A. Pyle, Reg. No. 34,904; Jaison C. John, Reg. No. 50,737; Ruben S. Bains, Reg. No. 46,532; Scott F. Diring, Reg. No. 35,119; Shelley P.M. Fussey, Reg. No. 39,458; Mark D. Moore, Reg. No. 42,903; Raymund F. Eich, Reg. No. 42,508; Darren C. Davis, Reg. No. 38,425; Stephanie A. Wardwell, Reg. No. 48,025; and Mark W. Sincell, Reg. No. 52,226; of Williams, Morgan & Amerson, P.C.

Send correspondence to: Jeffrey A. Pyle, 10333 Richmond, Suite 1100, Houston, Texas and direct all telephone calls to (713) 934-4053, Customer No. 46240.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	RICHARD J. DENATALE	
Inventor's Signature:		
Country of Citizenship:	USA	DATE: 9 Sept 2004
Residence Address: (street, number, city, state, and/or country)	1604 Barnes House Court Wake Forest, NC 28587	
Post Office Address: (if different from above)	Same as above.	